PENDLETON TOWN BOARD
PUBLIC HEARING & REGULAR MEETING
October 13, 2025

A Regular Meeting of the Town Board of the Town of Pendleton was held at the Town Hall, 6570 Campbell Blvd., Pendleton, NY, on the 13th day of October, 2025, at 7:00 p.m.

PUBLIC HEARING
APPLICATION FOR SPECIAL USE PERMIT

Deputy Supervisor Walter opened the Public Hearing at 6:58 p.m.

The notice for the Public Hearing was published in the Lockport Union Sun & Journal on October 3, 2025 and on the Town's website.

The purpose of the hearing was to allow public input regarding the renewal of an application for a Special Use Permit for Pendleton Solar 2, which is located at 6600 Donner Road. *[The notice contained an incorrect address. The address will be corrected by resolution later in this document.]*

Deputy Supervisor Walter opened up the floor to public comments.

There were no comments from the public.

Motion made by Councilman Buechler, seconded by Councilman Lombardo, to close the Public Hearing at 7:00 p.m. Motion carried.

REGULAR MEETING

Deputy Supervisor Walter called the meeting to order at 7:00 p.m.

Deputy Supervisor Walter led the invocation and the Pledge of Allegiance.

Roll Call:

Supervisor Maerten	Absent
Councilman Buechler	Present
Councilman Hickman	Present
Councilman Lombardo	Present
Councilman Rumbold	Present

Also present:

Mark Walter – Deputy Supervisor
Deborah Maurer - Town Clerk
Claude Joerg - Town Attorney
Dave Fischer - Highway/Water & Sewer Superintendent
David Britton - Town Engineer
Troy Barnes - Building Inspector/Code Enforcement Officer
Miranda Freiert - Assessor
Patrick Covell - Recreation Director

There were three residents in attendance.

AMENDMENTS/ADDITIONS/DELETIONS TO THE AGENDA

- Remove agenda item #13.
- Add a second Executive Session

PUBLIC REMARKS/COMMENTS ON AGENDA ITEMS

A resident commented on agenda item #15, "Request Placement of Street Light," asking where the lights will be installed. Mr. Fischer explained that they will be placed on Campbell Boulevard at the entrances and exits of both the Town Hall and DPW driveways.

No further comments were made by the public.

ROUTINE BUSINESS

RESOLUTION 253-25
MEETING MINUTES – SEPTEMBER 8, 2025
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the meeting minutes from the Regular Meeting held on September 8, 2025, are hereby approved as presented by Town Clerk Maurer.

RESOLUTION 254-25
MEETING MINUTES – OCTOBER 6, 2025
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the meeting minutes from the Budget Meeting held on October 6, 2025, are hereby approved as presented by Town Clerk Maurer.

RESOLUTION 255-25
ABSTRACT #18
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, to authorize payment of Voucher Abstract #18, Vouchers #25-00935 to #25-00992, which was paid on September 24, 2025, as follows:

General Fund	$	43,527.69
Highway	$	69,802.84
Capital Fund	$	698.64
Refuse	$	49,752.74
Sewer	$	18,774.67
Water	$	11,753.33
Total	$	194,309.91

RESOLUTION 256-25
ABSTRACT #19
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, to authorize payment of Voucher Abstract #19, Vouchers #25-00993 to #25-01062, to be paid on October 15, 2025, as follows:

General Fund	$	31,529.88
Highway	$	7,767.08
Capital Fund	$	1,250.00
Sewer	$	11,728.91
Water	$	2,415.03
Trust & Agency	$	4,356.32
Total	$	59,047.22

OTHER REPORTS

Deputy Supervisor Walter reported that the tax collected for August 2025 was $222,122.19. This is an increase of $20,269.42 when compared with August 2024. The year to date received is $1,707,325.92 which an increase of $109,961.48 from 2024.

Councilman Hickman spoke regarding the court improvements planned for Town Park and Depeau Park. He noted that a tentative meeting with Engineer Britton is scheduled for October 22, 2025, to review project documents and continue discussions.

Councilman Lombardo reported that he has been coordinating furnace tune-ups in preparation for the winter months and evaluating which furnaces and air conditioning units may need replacement. He is also working with Highway/Water & Sewer Superintendent Fischer to repair or replace emergency exit lights in order to comply with the recent NYSDOL Public Employee Safety & Health (PESH) inspection.

Councilman Buechler stated that he and Councilman Rumbold recently completed the Length of Service Award Program (LOSAP) audit at Wendelville. He also commented on the Pendleton Community & Shop Local Faire held on October 4th at the Pendleton Center United Methodist Church, noting that it was an overall successful event.

Councilman Rumbold had no report.

Attorney Joerg had no report.

Engineer Britton provided updates on the following projects:

- **MS4 Stormwater Management Program:** The compliance deadline for the MS4 report is January 2, 2026.
- **Town Park Improvements:** The Community Center and Parking Lot Paving projects are nearly complete, with only a few punch list items remaining.
- **Regency Subdivision:** Construction is ongoing, and sewer tap-ins have been installed.

DEPARTMENT HEADS

Town Clerk Maurer reported that monthly reports were received from the Assessor, Building Inspector/Code Enforcement Officer, and Engineer. These reports, along with the monthly reports for the Town Clerk and Water/Sewer collection, were posted online with the agenda documents.

Next, Mrs. Maurer informed the Board of the following monies received and collected in the month of September, 2025:

Total State, County and Local Revenues	$	36,539.44
Water/Sewer Collection	$	31,727.55

Mrs. Maurer also reported that the Town is now in compliance with the New York State mandate requiring a *.gov* website. The new address is pendletonny.gov, and users visiting the old site will be automatically redirected to the new one. She noted that there were some initial glitches that temporarily affected website access but stated that those issues have largely been resolved. Mrs. Maurer asked that anyone experiencing difficulty accessing the site or locating information contact her directly so she can address the issue.

Highway Superintendent Fischer had nothing to report.

Building Inspector Barnes had nothing to report.

Assessor Freiert had nothing to report.

Recreation Director Covell had nothing to report.

NEW BUSINESS

RESOLUTION 257-25
OUT-OF-DISTRICT WATER AGREEMENT - BURDUKOV
Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the agreement for out-of-district water service, as presented, between the Town and Victor Burdukov for SBL # 122.00-1-48.112 approved. This resolution shall take effect immediately.

RESOLUTION 258-25
OUT-OF-DISTRICT WATER AGREEMENT - BLYASHUK
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the agreement for out-of-district water service, as presented, between the Town and Dmitriy Blyashuk for SBL # 122.00-1-46.2. approved. This resolution shall take effect immediately.

RESOLUTION 259-25
NEW WENDELVILLE FIRE COMPANY MEMBERS
Motion by Councilman Rumbold, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the following individuals are approved for membership of the Wendelville Fire Company, Inc., as noted: Jonathan A. Spinks - Junior Member Jan R. Shadwick - Active Member This resolution shall take effect immediately.

RESOLUTION 260-25
RESIGNATION – ASSESSOR'S INFORMATION CLERK
Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the resignation of Colleen Gebauer from the position of Assessor's Information Clerk is accepted. This resolution shall take effect immediately.

RESOLUTION 261-25
RESIGNATION – TYPIST
Motion by Councilman Hickman, seconded by Councilman Lombardo, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the resignation of Dara Bannach from the position of Typist is accepted. This resolution shall take effect immediately.

RESOLUTION 262-25
RESIGNATION – ACTING ASSESSOR
Motion by Councilman Hickman, seconded by Councilman Rumbold, the following resolution was

ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the resignation of Thomas Valentine from the position of Acting Assessor, as of November 1, 2025, is accepted. This resolution shall take effect immediately.

RESOLUTION 263-25

RESIGNATION FOR PURPOSES OF RETIREMENT – DPW

Motion by Councilman Buechler, seconded by Councilman Lombardo, the following resolution was

ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the official notification from Jeffrey Jarvis of resignation for purposes of retirement, effective March 27, 2026, is accepted and approved. This resolution shall take effect immediately.

RESOLUTION 264-25

SUPPORT OF THE ENERGY CHOICE ACT

Motion by Councilman Rumbold, seconded by Councilman Buechler, the following resolution was

ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten

RESOLUTION IN SUPPORT OF CONGRESSMAN NICK LANGWORTHY'S ENERGY CHOICE ACT (H.R. 3699, S. 1945) AND IN OPPOSITION TO GOVERNMENT-MANDATED NATURAL GAS BANS

WHEREAS, affordable and reliable energy is essential to the health, safety, and economic prosperity of New York families, businesses, and communities; and

WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by millions of New Yorkers to heat their homes, cook their food, and power their businesses; and

WHEREAS, in 2019, New York State enacted the Climate Leadership and Community Protection Act (CLCPA), which mandates aggressive emissions reductions and serves as the foundation for sweeping energy restrictions, including efforts to phase out natural gas; and

WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings, and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and

WHEREAS, Governor Hochul has publicly supported these bans and related measures as part of her administration's climate and energy agenda, despite widespread concerns that such mandates will increase costs, strain grid reliability, and restrict energy diversity; and

WHEREAS, these top-down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and

WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced the Energy Choice Act (H.R. 3699, S. 1945), federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and

WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an "all-of-the-above" energy strategy that strengthens reliability and affordability;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of October 2025, that the Town Board strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State's natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Pendleton urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Chuck Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature.

RESOLUTION 265-25
APPOINTMENT OF STORMWATER MANAGEMENT OFFICER
Motion by Councilman Rumbold, seconded by Councilman Hickman, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that Troy Barnes is appointed to the position of Stormwater Management Officer at a rate of $3,000.00 annually. This resolution shall take effect immediately.

RESOLUTION 266-25
APPROVAL FOR TRAVEL – NYS AOT ANNUAL MEETING
Motion by Councilman Hickman, seconded by Councilman Rumbold, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that Debbie Maurer is approved to attend the 2026 New York State Association of Towns Annual Meeting, including expenses related to registration and travel, at an expense estimated to not exceed $1,600.00. This resolution shall take effect immediately.

RESOLUTION 267-25
APPROVAL OF ELIGIBLE LIST CANVAS AND POSTING – ASSESSOR'S INFORMATION CLERK
Motion by Councilman Buechler, seconded by Councilman Lombardo, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the Supervisor is authorized to request the canvas of the Assessors Information Clerk by Niagara County Civil Service.

FURTHER, BE IT RESOLVED, that the position of Assessors Information Clerk is authorized to be posted, if necessary, using the title description as provided by Niagara County Civil Service.

This resolution shall take effect immediately.

RESOLUTION 268-25
2025 BUDGET TRANSFERS
Motion by Councilman Lombardo, seconded by Councilman Rumbold, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the following budget transfers for the 2025 budget are approved:

Transfer To:				Transfer From:		
#	Budget Code	Description	Amount	Budget Code	Description	Amount
1	A00-1110-450	Justice - Supplies	$67.00	A00-1110-400	Justice - Contractual	$67.00
2	A00-1355-100	Assessor Personnel Service	$11,497.00	A00-1355-110	Assessor - Personnel Clerk	$11,497.00
3	A00-1420-410	Attorney - Contractual	$4,810.00	A00-1420-400	Attorney - Contractual	$4,810.00
4	A00-1420-440	Attorney - Solar	$1,591.00	A00-1420-400	Attorney - Contractual	$1,591.00
5	A001620-120	Town Hall - Town Hall Work	$68.00	A00-1620-130	IT Coordinator	$68.00
6	A00-1989-450	Farmer's Market - Supplies	$76.00	A00-1989-410	Farmer's Market - Contractual	$76.00
7	A00-7110-400	Parks - Contractual	$2,247.00	A00-7110-450	Parks - Supply	$1,000.00
				A00-7110-200	Parks - Fixed Assets	$1,247.00
8	A00-7140-400	Playgrounds and Rec - Contractual	$4,600.00	A00-7140-100	Playground and Rec Centers	$4,600.00
9	A00-8010-410	Zoning Board of Appeals - Public Mtg.	$330.00	A00-8010-100	ZBA - Personnel Services	$330.00
10	DA0-5110-451	Road and Drainage - Supplies	$846.00	DA0-5110-400	Maintenance of Roads	$846.00
11	SWO-8340-400	Directional Boring	$2,179.00	SW0-8310-440	Water Admin. Professional Fees	$2,179.00

This resolution shall take effect immediately.

RESOLUTION 269-25
AUTHORIZATION OF SEWER REPAIR
Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
WHEREAS, the Town of Pendleton Water & Sewer Department has standardized the use of pump equipment manufactured by Equipment One Corporation (E/One); and

WHEREAS, Siewert Equipment has been designated by resolution of the Town Board as the sole source supplier for E/One equipment, parts, and components; and

WHEREAS, a request for an expenditure for repair of sewer equipment has been presented to the Town Board for consideration by the Water & Sewer Superintendent.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of October 2025, that the proposed expenditure of $9,726.23 for sewer equipment repair, as quoted by Siewert Equipment, is approved. This resolution shall take effect immediately.

RESOLUTION 270-25
AUTHORIZATION TO REQUEST PLACEMENT OF STREET LIGHT
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the Supervisor is authorized to request the placement of a lighting fixture on National Grid line poles as follows:

Pole 6598R with an LED lighting fixture of 210 wattage.
Pole 6626 with an LED lighting fixture of 48 wattage.
Pole 6636 with an LED lighting fixture of 48 wattage.
Pole 6584R with an LED lighting fixture of 48 wattage.

This resolution shall take effect immediately.

RESOLUTION 271-25
AUTHORIZATION TO ADVERTISE FOR POSITIONS – CLEANER AND CLEANER/LABORER
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the posting for the positions of Cleaner and Cleaner/Laborer are authorized for posting in anticipation of potential openings. This resolution shall take effect immediately.

RESOLUTION 272-25
ACCEPT REQUEST FOR PROPOSAL – HVAC REPLACEMENT
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

WHEREAS, the Town Board of the Town of Pendleton did approve by resolutions on September 8, 2025 the advertisement of Request for Proposals related to replacement of heating, ventilation, and air conditioning equipment in the Town Hall parking lot; and

WHEREAS, the approved Request for Proposals were advertised and all submissions were opened and tabulated by the Town Clerk as specified in the authorizing resolution; and

WHEREAS, it is recommended that the Town Board accept the lowest cost responsive proposals.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of October 2025, that the proposal submitted by Day 1 Heating and Cooling for $10,937.00 for replacement of a specific heating, ventilation, and air conditioning unit located in the Town Hall is accepted and approved. This resolution shall take effect immediately.

RESOLUTION 273-25
ACCEPT REQUEST FOR PROPOSAL – NETWORK INFRASTRUCTURE WORK
Motion by Councilman Lombardo, seconded by Councilman Rumbold, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

WHEREAS, the Town Board of the Town of Pendleton did approve by resolutions on September 8, 2025 the advertisement of Request for Proposals related to network infrastructure work; and

WHEREAS, the approved Request for Proposals were advertised and all submissions were opened and tabulated by the Town Clerk as specified in the authorizing resolution; and

WHEREAS, it is recommended that the Town Board accept the lowest cost responsive proposals.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of October 2025, that the proposal submitted by Armored Alarm for $181,279.00 for network infrastructure work is accepted and approved. This resolution shall take effect immediately.

RESOLUTION 274-25
AUTHORIZATION TO ADVERTISE REQUEST FOR PROPOSALS – SPRINKLER SYSTEM INSPECTION
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that advertisement for Requests for Proposals for Sprinkler System Inspection is authorized as detailed in the attached Request for Proposals.

FURTHER, BE IT RESOLVED, that the Requests for Proposals will be made available on October 13, 2025 and all proposals are to be submitted to the Town Clerk by 3:00 pm local time on November 5, 2025, with the proposals publicly opened and read aloud at 3:05 pm. This resolution shall take effect immediately.

RESOLUTION 275-25
AUTHORIZATION TO RE-LEVY OF UNPAID BALANCES
Motion by Councilman Hickman, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that the Town Clerk is authorized to collect unpaid water, sewer, and refuse fees, delinquent as of September 16, 2025, by sending the outstanding amounts to the Niagara County Office of Real Property Services for placement on the Town's tax rolls.

FURTHER, BE IT RESOLVED, the Town of Pendleton authorizes Niagara County Department of Real Property to re-levy all delinquent accounts on the Town's 2025 property tax bill.

FURTHER, BE IT RESOLVED, that it is acknowledged that the total unpaid amounts are $32,670.34 water, $13,250.03 sewer, and $10,532.43 town charges. This resolution shall take effect immediately.

RESOLUTION 276
SCHEDULE PUBLIC HEARING – 2026 PRELIMINARY BUDGET
Motion by Councilman Buechler, seconded by Councilman Rumbold, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, that a Public Hearing is scheduled on November 6th, 2025, at 7:00 p.m. to allow public comment on the 2026 Preliminary Budget. This resolution shall take effect immediately.

RESOLUTION 277-25
AMEND RESOLUTION FOR SPECIAL USE PERMIT
Motion by Councilman Lombardo, seconded by Councilman Hickman, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
BE IT RESOLVED, by the Town Board of the Town of Pendleton, on this 13th day of October 2025, to amend the resolution following this by correcting the address of Pendleton Solar 2 to read 6000 Donner Road.

RESOLUTION 278-25
RENEW SPECIAL USE PERMIT – PENDLETON SOLAR 2
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was
ADOPTED: Ayes 4 Buechler, Hickman, Lombardo, Rumbold
Nays 0
Absent 1 Maerten
WHEREAS, the Planning Board of the Town of Pendleton recommends renewal of a Special Use Permit for a project known as Pendleton Solar 2, located at 6000 Donner Road; and

WHEREAS, Town Code § 247-16C states, "Applications for a special use permit shall be reviewed by the Planning Board, which shall report its findings on the application to the Town Board."; and

WHEREAS, Town Code § 247-16C further states, "Hearing and decision. Following receipt of the Planning Board's report, the Town Board shall hold a public hearing on an application for a special use permit within 62 days of receiving the application, publicly noticed in a printed newspaper of general circulation in the Town at least five days prior to the hearing."; and

WHEREAS, a public hearing was scheduled, advertised, and subsequently held at 6:55 pm on October 13, 2025; and

WHEREAS, the Town Board is obligated to make a decision on the application for a Special Use Permit within 62 days of the public hearing.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of October 2025, that a Special Use Permit is approved for Pendleton Solar 2, which is located at 6000 Donner Road.

FURTHER, BE IT RESOLVED, that this Special Use Permit is subject to annual review according to Town Code § 247-16C(5) and is valid for a period of one (1) year. This resolution shall take effect immediately.

RESOLUTION 279-25
MODIFY ACCEPTANCE OF RESPONSE TO RFP – BLACK GOLD SEALER
Motion by Councilman Lombardo, seconded by Councilman Buechler, the following resolution was

ADOPTED:	Ayes	4	Buechler, Hickman, Lombardo, Rumbold
	Nays	0	
	Absent	1	Maerten

WHEREAS, the Town Board of the Town of Pendleton did approve by resolutions on August 11, 2025 the advertisement of Request for Proposals related to sealing and striping of the Town Hall parking lot; and

WHEREAS, the approved Request for Proposals were advertised and all submissions were opened and tabulated by the Town Clerk as specified in the authorizing resolution; and

WHEREAS, it was recommended that the Town Board accept the lowest cost responsive proposals; and

WHEREAS, the proposal submitted by Black Gold Sealer for $10,500.00 for sealing and striping of the Town Hall parking lot was accepted by resolution on September 8, 2025; and

WHEREAS, the total final cost includes a mobilization fee and it is appropriate to modify the accepting resolution to address this discrepancy.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of October 2025, that the authorized amount for the work performed by Black Gold Sealer is adjusted to $10,750.00 for sealing and striping of the Town Hall parking lot. This resolution shall take effect immediately.

Next, a motion was made by Councilman Hickman, and seconded by Councilman Rumbold, to table the resolution to appoint a chairman to the Planning Board until the next meeting. Motion carried.

Deputy Supervisor Walter announced the following upcoming meetings:

- Town Board Work Session: Scheduled for October 27, 2025, at 7:00 p.m.
- Public Hearing: Scheduled for November 6, 2025, at 7:00 p.m.
- Town Board Regular Meeting: Scheduled for November 10, 2025, at 7:00 p.m.

PUBLIC REMARKS/COMMENTS

A resident commented that he had recently spoken with the Budget Officer following the October 6th budget meeting. He stated that he had provided feedback on what he believes are errors in the current Tentative Budget. He noted that while expenses have changed, revenues have not, and he felt that revenue adjustments should also be reflected in the budget. The resident provided several examples to illustrate his point and expressed concern that the budget is currently unbalanced, emphasizing that it should be corrected by the end of the year.

Another resident stated that she fully agreed with the previous speaker's comments regarding the budget. She added that she had also spoken with the Budget Officer and believes the budget should be clarified and made more transparent to the public. The same resident also commented

on the “Park Improvements Project,” requesting more information about the court improvements at Depeau Park, particularly since the Town does not own that property.

No further public remarks or comments were made.

Motion by Councilman Buechler, seconded by Councilman Hickman, to enter into two separate Executive Sessions. The first session, which included the Town Attorney and the Building Inspector, was to discuss personnel matters in the Building Department. Both individuals were then excused for the second Executive Session, which focused on other personnel matters. The motion was made at 7:35 p.m. Motion carried.

Motion by Councilman Hickman, seconded by Councilman Lombardo, to adjourn from the Executive Session and Regular Meeting at 8:49 p.m. Motion carried.

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Deborah K. Maurer, Town Clerk